

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

EDWARD E. ROBINSON

Plaintiff,

v.

Case No: 04-10044-BC
Honorable David M. Lawson

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND GRANTING ATTORNEY FEES**

Presently before the Court is the report issued on July 8, 2005 by Magistrate Judge Charles E. Binder pursuant to 28 U.S.C. § 636(b)(1)(B) and E.D. Mich. LR 72.1, recommending that this Court grant the plaintiff's counsel attorneys fees under Equal Access to Justice Act in the amount of \$3,150.00, representing twenty-four hours of attorney time at the rate of \$131.25. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [dk # 25] is **ADOPTED**. The Commissioner shall pay to attorney Howard Slusky the sum of \$3,150.00 in attorney fees.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: January 23, 2006

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 23, 2006.

s/Tracy A. Jacobs
TRACY A. JACOBS